



Central African Republic

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The Central African Republic is a constitutional democracy with a multiparty legislature. Ange-Felix Patasse, leader of the Movement for the Liberation of the Central African People (MLPC), who first was elected President in 1993, was reelected with a narrow majority in September 1999. The Presidential election, like the National Assembly elections held in late 1998, generally was free but was controlled by the Government and was marred by irregularities that tended to favor the ruling party candidate. The Government is headed by a Prime Minister and Cabinet appointed by the President. Although the Constitution provides for separation of powers, the Legislature is vulnerable to manipulation by the President, who dominates the Government. The President can veto legislation, although two-thirds of the unicameral legislature can override his veto, and he can rule by decree under special conditions. On April 1, President Patasse replaced the Prime Minister, Anicet Georges Dologuele, with Martin Ziguele, a member of his MLPC party. On May 28, former President Andre Kolingba led a faction of the security forces in a coup attempt, which resulted in 10 days of fighting in Bangui between government forces and troops loyal to Kolingba. President Patasse retained power with the assistance of troops from Libya and rebel Congolese Liberation Front (FLC) soldiers from the Democratic Republic of the Congo (DRC) led by Jean-Pierre Bemba. On August 30, the President named a new Cabinet, most of whom are members of his MLPC party. The Constitution provides for an independent judiciary; however, it is subject to executive interference.

The National Police under the direction of the Ministry of Interior and Public Security, the military forces, the National Gendarmerie, and the Special Presidential Unit (USP) under the Ministry of Defense and responsible for presidential security share responsibility for internal security. The civilian authorities do not maintain effective control of the security forces. Apart from the USP, the military, much of which mutinied in 1996 and 1997, is perceived widely to be of doubtful loyalty to the Patasse Government; the Government has not paid military salaries since October 2000. Members of the security forces were involved in the May coup attempt. On October 26, President Patasse removed General Francois Bozize as Chief of Staff of the Armed Forces after accusing him of being part of the attempted coup. On November 2, an attempt to arrest Bozize resulted in fighting between government forces and soldiers loyal to Bozize. There were numerous reports that security forces committed serious human rights abuses during and following the coup attempt. Members of the security forces, and of the USP in particular, committed numerous, serious human rights abuses during the year.

The country's economy is dominated by subsistence agriculture, and its population is approximately 3.5 million. Principal exports are coffee, cotton, timber, tobacco, and diamonds. Foreign assistance is an important source of national income. Per capita gross domestic product for the year was approximately \$273 (206,388 CFA francs). Salary arrears owed to civilian employees and the military and resulting strikes continued to impair the functioning of the Government and the authority of the state to enforce the rule of law. The misappropriation of public funds and corruption in the Government continued to decrease, but remained widespread. The large displacement of persons during and following the attempted coup adversely affected economic productivity during the year. While the civil war in the DRC prevented shipping on the Ubangui River in 2000, barge traffic from Kinshasa, DRC, resumed in September.

The Government's poor human rights record worsened in some areas, particularly after the May 28 attempted coup, and serious problems remained in many areas. Citizens generally were able to choose their national government; however, the Government controls the electoral process. Security forces continued to commit extrajudicial killings, including government-approved executions of suspected bandits and killings reportedly committed for political reasons by members of the USP, particularly during and following the May 28 attempted coup. Following the coup attempt, security forces targeted members of the Yakoma ethnic group for killings and abuse and used rocket launchers indiscriminately in civilian neighborhoods. There also were credible reports of deaths of prisoners due to police abuse. Police continued to torture, beat, and otherwise abuse

suspects and prisoners. Other human rights abuses included harsh prison conditions, arbitrary arrest and detention, prolonged detention without trial, limits on judicial independence, and infringements on citizens' right to privacy. The Government restricted freedom of the press and freedom of assembly and association. There were some limits on freedom of religion and some limits on freedom of movement. Violence and discrimination against women, female genital mutilation (FGM), child prostitution, discrimination against indigenous people (Pygmies), and child labor, including instances of forced child labor, continued to be problems. Trafficking in persons occurs.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including

Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

Security forces continued to commit extrajudicial killings, including government-approved executions of suspected bandits and killings reportedly committed for political reasons by members of the USP. In the days following the May 28 attempted coup, government forces engaged in military reprisals, open executions, and door-to-door "search and destroy" missions to eliminate suspected rebel sympathizers, particularly members of Kolingba's Yakoma ethnic group. Unlike in the previous year, there were no reports of deaths of prisoners due to police abuse. Police and security forces are immune from prosecution for extrajudicial killings.

During and following the May 28 coup attempt, security forces committed with impunity numerous extrajudicial killings. Members of the security forces particularly targeted members of the Yakoma ethnic group, of which Kolingba is a member. On May 28, USP forces reportedly arrested, tortured, and killed Colonel Alphonse Konzy of the Gendarmerie for allegedly deserting his post during the coup; however, other reports claimed that Konzy was killed because he was a Yakoma. On May 28, USP guards killed Leon Banganzoni, a retired civil servant, his son, and his nephew. On May 29, USP guards tortured and killed Sergeant Emery Konguende, a Yakoma who was returning to his military unit after being on leave during the coup. On May 31, the USP arrested Theophile Toubia, the Yakoma opposition leader in the National Assembly, for alleged involvement with the coup attempt. On June 1, Toubia's body was found in front of President Patasse's official residence; Toubia's 9-year-old son and two other relatives were killed on May 31. On May 31 or June 1, USP guards shot and killed Sylvestre Omissi, a Constitutional Court Magistrate. On June 6, USP guards shot to death Wanguia-Bickot Evrard, a Yakoma teacher at the University of Bangui; his 18-year-old son, Wanguia-Bickot Romaric; and his cousin, Kongbeya Olivier. On June 12, USP guards killed three Yakoma gendarmes as they returned to work. On July 9, USP guards interrogated and reportedly killed Corporal Chef Alfred Kokassa, also a Yakoma. No action was taken against the responsible security force officers for any of these killings by year's end, and such action is unlikely. The Government acknowledged that extrajudicial killings following the coup attempt occurred, but claims they were carried out by "uncontrollable members" of the security forces.

There were credible reports that USP troops killed Rwandan refugees and nationals on suspicion that they assisted in the attempted coup (see Sections 1.c. and 2.d.).

The special police Squad for the Repression of Banditry (OCRB) continued to operate and reportedly engaged in torture (see Section 1.c.). There were no figures available on the number of extrajudicial killings by the OCRB during the year. In the previous year, police officials repeatedly publicized on radio and television the crimes of criminals apprehended by this squad, and the OCRB executed these criminals the following day without a trial; however, there were no public reports of such incidents during the year. Medical staff have confirmed that members of the OCRB often took the bodies of persons they have executed to the hospital and left them for the family to pick up. The OCRB's use of extrajudicial killing had both official government and popular support and was seen as an effective means of reducing crime and increasing public security. The Government tacitly approved the actions taken by the police squad to reduce armed robbery; no OCRB member has been prosecuted for extrajudicial killings or other abuses committed while on duty. Officials justify the unit's actions as a consequence of nonexistent prison facilities in Bangui. In September the OCRB took Aristide Ndakala-Mandapy to the government television station to record his confessions of committing several robberies. On September 19, the station broadcast the tape. On September 22, the OCRB shot and killed Ndakala-Mandapy and left his body at the hospital. No action was taken against the responsible OCRB officers by year's end. There reportedly were other OCRB extrajudicial killings during the year; however, details were unavailable. Unlike in the previous year, no detainees died as a result of torture (see Section 1.c.).

On December 17, at a Tax Division roadblock in Bangui, a police trainee shot and killed taxi driver Paul Medard Yamboka after Yamboka drove around the roadblock (see Section 2.d.). Yamboka's brother, who was with him in the taxi, was injured. The police trainee was arrested; there was no further information available at

year's end.

On April 27, the Central African Criminal Court sentenced to death Ngoakossi Juvenal, a private detective, and Mafouta Jeannot, a former senior corporal in the army, for the killing and carjacking of the Libyan Ambassador in August 2000. A third suspect was sentenced to 1 year in prison.

No action was taken during the year, and no further action is likely to occur, against the members of the OCRB who committed six extrajudicial killings in 2000.

The Government conducted a full investigation into the February 2000 case in which armed bandits attacked a vehicle transporting religious personnel, killing one nun and injuring another; however, no further action was taken during the year, and the results were not released publicly.

The prosecutor general did not release during the year the results of his investigation into the 1999 killing of former Army Lieutenant Antoine Gbodo and four others.

On July 5 in Bangui, four unknown persons shot and killed Colonel Jean-Pierre L'Hommee, Field Security Officer for the U.N. Development Program (UNDP). L'Hommee was shot at point-blank range in the chest as he left his car to respond to a request for assistance from a local UNDP employee whose residence reportedly was under siege by criminal elements. According to eyewitnesses, the attackers were armed with military weapons and previously had threatened the local employee, whose husband is a Yakoma businessman who was in hiding for fear of being attacked by government forces. L'Hommee went to the scene with another local UNDP senior officer and three patrol vehicles belonging to the security forces. On July 10, a U.N. special team arrived to investigate the shooting; the investigation was pending at year's end.

There also were numerous, credible reports that Congolese FLC troops killed numerous persons and also targeted members of the Yakoma ethnic group (see Sections 1.f. and 5). There were no reports that Libyan forces killed persons.

There also were credible reports that Kolingba's rebel forces killed numerous persons during and following the coup attempt.

Le Citoyen newspaper reported that on July 14, an angry mob killed two elderly women suspected of practicing witchcraft (see Section 2.c.). No action was taken in the case by year's end. There was no progress in the trial of those alleged to be involved in the February 1999 mob killing of three men suspected of witchcraft.

b. Disappearance

There were no confirmed reports of politically motivated disappearances; however, after the coup attempt, thousands of persons went into hiding, making it difficult to determine whether security forces were responsible for any disappearances during that time.

c. Torture and Other Cruel, Inhuman, or Degrading

Treatment or Punishment

Although the Penal Code prohibits torture and specifies sanctions for those found guilty of physical abuse, police continued to torture, beat, and otherwise abuse criminal suspects, detainees, and prisoners. Family members and human rights groups, including the Human Rights League (HRL) Executive Committee, pursued court complaints filed in previous years with the prosecutor, Joseph Bindoumi, regarding the deaths of several prisoners due to police abuse; however, government authorities continued not to take action on any of the cases. The HRL did not file any court complaints of police abuse during the year.

The USP frequently used excessive force in its operations; it reportedly also was responsible for other serious human rights abuses. There were numerous cases during the year in which the USP physically abused detainees and tortured before killing some individuals suspected of supporting the attempted coup (see Section 1.a.). On February 14, USP soldiers arrested and tortured until he fell into a coma Abdoulaye Aboukary Tembeley, a journalist and the President of the Movement for the Defense of Human Rights (MDDH) following a poll he conducted on whether President Patasse should resign or remain in power (see Section 1.d.). The results of the poll were unfavorable to the President. Medical reports revealed that Tembeley suffered cranial trauma, contusions, serious hematomas, and possibly broken ribs. Tembeley was sentenced to 2 years in prison and a fine of \$210 (150,000 CFA francs); however, on March 8, President Patasse

pardoned Tembeley. Although local and international human rights groups called for an investigation into Tembeley's case, there was no investigation by year's end. On May 29, USP guards tortured and killed Sergeant Emery Konguende, a Yakoma who was returning to his military unit after being on leave during the coup. There was no investigation into the case by year's end. There were credible reports that USP troops harassed, beat, and tortured Rwandan refugees and nationals on suspicion that they assisted in the coup attempt (see Sections 1.a. and 2.d.).

On September 26, gendarmes beat, kicked, and arrested Assingambi Zarambaud, a prominent attorney who had published a series of articles critical of the Government (see Sections 1.d. and 2.a.). On October 1, the Bar Association began a strike to protest Zarambaud's detention, and leaders of several political parties and officials of human rights organizations signed a petition for his release. On December 11, Zarambaud was released. No investigation had been conducted in the case by year's end.

Following the May 28 coup attempt, members of the security forces targeted members of the Yakoma ethnic group for abuse (see Sections 1.a., 1.f., and 5).

Government forces launched rockets indiscriminately into neighborhoods suspected of harboring rebels; there were no reliable information whether deaths and injuries in those neighborhoods were caused by rocket fire, firearms, or other action.

Unlike in the previous year, the police did not disperse forcibly any demonstrations.

Trafficking in persons is a problem, and government authorities reportedly may have been involved in one case during the year (see Section 6.f.).

No action was taken during the year against the security force officers who used excessive force to disperse forcibly demonstrations on the following dates in 2000: December 19; November 14; and January 23. The Government has not taken legal action against members of the presidential guard who tortured and beat trade union leader Sonny Cole in 1999.

On October 25, highway bandits stopped a vehicle near Grimari carrying several missionaries. The bandits assaulted and injured one of the missionaries, and looted the vehicle; government soldiers arrived 2 hours later, shot at and dispersed the bandits. The Government conducted a full investigation into the February 2000 cases in which armed bandits attacked vehicles transporting religious personnel; however, it did not result in any arrests by year's end.

There were no developments, and there are unlikely to be any, in the case of the six armed men, alleged to be DRC soldiers, who in 1999 allegedly raped three foreign nuns at their residence in Bangassou, near the border with the DRC, and beat a local priest.

Prison conditions are extremely harsh. In October the Government began renovating Ngaragba, Bangui's main prison that was destroyed during the 1996 mutinies. A number of detainees still were being kept in 10 police stations around Bangui; however, the number remaining in detention at year's end was unknown. Police station cells are overcrowded, and the basic necessities of life, including food, clothing, and medicine, are in short supply and often are confiscated by prison officials for their personal use. Prisoners frequently were forced to perform uncompensated labor at the residences of government officials and magistrates (see Section 6.c.). Male and female prisoners were confined in separate facilities in Bangui but housed together elsewhere. There were no separate detention facilities for juvenile prisoners who routinely were housed with adults and often subjected to physical abuse. Pretrial detainees were not held separately from convicted prisoners.

The Government permits prison visits by human rights monitors. The International Committee for the Red Cross (ICRC) and religious groups routinely provide supplies, food, and clothes to prisoners. The ICRC has unrestricted access to prisoners.

A representative of the African Commission on Human and Peoples' Rights, responsible for monitoring prison conditions in Africa, visited prisons and detention facilities throughout the country, including those located in Bangui in 2000 and concluded that prison conditions in the country did not meet international standards.

d. Arbitrary Arrest, Detention, or Exile

The law provides protection against arbitrary arrest and detention and accords the right to a judicial determination of the legality of detention; however, the security forces frequently ignored such provisions.

Judicial warrants are not required for arrest. The law stipulates that persons detained in cases other than those involving national security must be brought before a magistrate within 96 hours. In practice authorities often do not respect this deadline, in part due to inefficient judicial procedures. By law national security detainees are defined as "those held for crimes against the security of the state" and may be held without charge for up to 2 months. The law allows detainees to have access to their family and to legal counsel; however, in cases involving state security, the Government prohibits detainees from consulting legal counsel pending an investigation. If indigent, detainees may request a lawyer provided by the Government. Detainees are allowed to post bail or have family members post bail for them. Prolonged pretrial detention was a serious problem; however, the number of pretrial detainees was unknown at year's end. Some of those detained following the coup attempt may be political detainees.

On January 15, gendarmes invaded the house of opposition leader Jean-Paul Ngoupande despite his immunity as a deputy in the National Assembly. Ngoupande escaped and went into hiding; supporters who were at Ngoupande's home were arrested and released 2 days later.

On January 19, gendarmes detained two of the French Ambassador's bodyguards, who had accompanied the Ambassador to the Ministry of Justice; the bodyguards were released without charge the same day.

In June the General Secretary of the USTC was arrested, questioned, and subsequently released after attending a meeting of the ICFTU-AFRO Congress in Nairobi.

Several journalists were arrested during the year (see Section 2.a.). On February 14, USP soldiers arrested, detained, and tortured journalist Abdoulaye Aboukary Tembeley (see Sections 1.c. and 2.a.). Tembeley reportedly was denied access to his family while he was in detention. Tembeley was charged with "inciting the population to hatred and violence." In late February, Tembeley was released pending trial, which began on February 26; the trial had been delayed three times because of the injuries Tembeley received when he was tortured. Tembeley was sentenced to 2 years in jail and a fine of \$210 (150,000 CFA francs); however, on March 8, President Patasse pardoned Tembeley.

Following the May 28 attempted coup, security forces arrested numerous persons on suspicion of complicity in the attempt. On August 25, Jean-Jacques Demafouth, the Minister of Defense, was arrested on suspicion of complicity in the attempted coup. Demafouth still was in detention without charge at year's end. On September 26, gendarmes arrested attorney Assingambi Zarambaud on charges of involvement in the coup attempt; however, numerous human rights organizations charged that Zarambaud's arrest followed the publication of a series of articles that were critical of the Government (see Sections 1.c., 2.a., and 2.b.). In December 2000, police had issued an arrest warrant for Zarambaud in connection with a December 19, 2000 rally. Zarambaud went into hiding after the rally but came out of hiding during the year.

On June 8, the Government established a Mixed Commission of Judicial Inquiry to investigate the causes of the May 28 attempted coup and to bring those responsible to justice. Following the establishment of the Commission, the Government arrested and detained more than 100 civilian and military personnel in connection with the coup attempt. There were numerous reports that the Government used the Mixed Commission to target political opponents. In October in Bangui, the Mixed Commission arrested Father Tonino Falagoista, director of the Catholic radio station Radio Notre Dame, after the station criticized the killing of members of the Yakoma ethnic group (see Section 2.a.). Some of the persons detained by the Commission were released; however, there was no information available on the number of detainees who still were in detention at year's end. On October 9, Commission President Joseph Bindoumi presented a preliminary report to the President in a public ceremony; however, the Commission did not issue a final report by year's end. The Commission's mandate expired on December 11.

On December 19, 2000, security forces arrested 73 persons, including 4 members of the National Assembly and several children, following a demonstration in Bangui that had been banned previously by the Government (see Section 2.b.); 8 of the detainees, including the children, subsequently were released; however, 65 of the detainees remained in custody until January 8, when a civil court ruled that the Government's ban on the meeting was flawed procedurally. The court found the four National Assembly deputies and the president of a political party guilty of resisting arrest and sentenced them to 15 days in jail (which they already had served) and a fine. All 65 remaining detainees were released on the day of the trial. The Government did not appeal the decision.

The law does not permit the use of exile, and the Government does not employ it in practice. The Government has stated repeatedly that any person in exile for strictly political, rather than criminal, reasons may return without fear of persecution. Thousands of persons fled their homes or went into hiding following the attempted coup in May, including many Yakomas and Rwandan refugees. Many of the internally displaced persons (IDP's) returned home before year's end; however, most of the refugees remained abroad (see Sections 1.b.

and 2.d.).

e. Denial of a Fair Public Trial

The Constitution provides for an independent judiciary; however, it is subject to executive interference. The judiciary consists of regular and military courts. The highest court is the Constitutional Court, which determines whether laws passed by the National Assembly conform to the Constitution. The Constitutional Court also receives appeals from the Court of Cassation and the Court of Appeals. Lower courts hear criminal and civil cases and send appeals to the Court of Appeals. The sole operating Criminal Court only met once for a period of 2 months during the year due to a lack of funds. As a result, there was a large backlog of criminal cases. The courts of justice and the juvenile court barely functioned during the year, and are unlikely to function properly due to inefficient administration, shortage of trained personnel, growing salary arrears, and a lack of material resources.

In general trial procedures, an officer of the judicial police writes a report of the investigation and sends it to the public prosecutor's office. If the prosecutor believes there is sufficient evidence that an offense has occurred and that the accused committed it, he places the accused under an arrest warrant. If there is insufficient evidence, the case is dropped. Trials are held publicly, and defendants have the right to be present and to consult a public defender. Defendants also have the right to question witnesses, to present witnesses and evidence on their own behalf, and to have access to government-held evidence relevant to their case. There is the presumption of innocence until proven guilty, and if convicted, defendants have the right to appeal. No groups are barred from testifying; relatives of the accused may testify. The Government generally complies with these legal requirements; however, the judiciary does not enforce consistently the right to a fair trial, and there were many credible reports of corruption within the court system. A number of persons were subjected to prolonged detention without trial or were killed summarily and extrajudicially by the OCRB (see Sections 1.a. and 1.d.).

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits invasion of homes without a warrant in civil and criminal cases; however, on occasion police used provisions of the Penal Code governing certain political and security cases that allow them to search private property without a warrant. Security forces continued to carry out warrantless searches for guns and ammunition in private homes. The increase of banditry in Bangui has become a pretext for the police to carry out warrantless house searches. The Government continued to monitor the telephones of some opposition figures and to engage in wiretapping without judicial authority.

On January 15, gendarmes invaded the house of opposition leader Jean-Paul Ngoupande despite his immunity as a deputy in the National Assembly. Ngoupande escaped and went into hiding. The gendarmes arrested supporters who were at his home at the time but released them 2 days later.

For several months after the May 28 coup attempt, security forces, particularly the USP, carried out warrantless searches of entire neighborhoods and seized vehicles, electronic goods, appliances, and other items for which residents could not produce sales receipts, alleging that the property was stolen. Few of these items were returned to the owners. Security forces targeted members of the Yakoma ethnic group and persons suspected of collaborating with the coup attempt (see Sections 1.a., 1.c., 1.d., 3, and 5). There also were numerous, credible reports that Congolese FLC troops--in the country to support President Patasse--and rebel forces participated in the looting. Among the many private homes that were looted were those of Deputy Theophile Toubia, Constitutional Court Magistrate Sylvestre Omissse (see Section 1.a.), the Nigerian Ambassador, and the director of the Air France office in Bangui. Government forces also reportedly destroyed the residence of former President Kolingba.

During and following the attempted coup, the Government interfered with private communication. USP forces controlled the national radio station and monitored radio transmissions and telephone conversations. Some cell phone conversations were broadcast over national radio.

The Government does not prohibit membership in any political organization; however, following the attempted coup in May, it suspended the activities of Kolingba's Central African Democratic Rally (RDC) opposition party for a period of three months (see Section 2.b.). Several RDC deputies continued to sit in the National Assembly during the suspension, and the party resumed its activities in late September.

There were reports that family members were detained in an effort to compel suspects to turn themselves in.

During its November General Assembly, the Association of Women Lawyers of Central Africa criticized "arbitrary detentions including those of numerous women in place of their absent husbands."

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and the Press

The Constitution provides for freedom of speech and of the press; however, the Government frequently restricted the freedom of the print media to criticize the Government. The law prohibits the Government from censoring the press and defines the rights and responsibilities of private media. In 2000 President Patasse dissolved the High Broadcast Council, which was created to regulate the media. The Government continued to dominate domestic broadcast media. Libel cases are addressed in civil rather than criminal courts.

Opposition leaders in particular used press statements, manifestos, and copies of open correspondence to the Government to circulate their views; however, citizens continued to criticize the Government and political parties at some risk to themselves (see Sections 1.c. and 1.d.). Many journalists fled the country after the attempted coup for fear of reprisals. Some journalists returned to the country by year's end.

The Government owns and controls three newspapers, the Centrafrique Presse, which the Government created in March and reflects the views of the ruling MLPC, the Agence Centrafricaine de Presse (ACAP) bulletin, which appears sporadically, and Be Africa Sango, which was not published during the year due to lack of finances. Echo de Centrafrique, a private daily newspaper, is close to the ruling party. More than a dozen private newspapers were published over varying intervals; eight were published on a regular basis during the year. These newspapers often were outspoken in their criticism of the President, the Government's economic policies, and official corruption. Le Citoyen, Be Afrika, and Le Democrate are the most widely read private newspapers. In 2000 both the President and Prime Minister threatened local journalists with sanctions if any newspaper transgressed the media code and went beyond journalistic propriety.

In July security forces seized the printing equipment and documents of a private press group, Groupement des Editeurs de la Presse Privée et Indépendante de Centrafrique (GEPPIC), which had criticized USP actions against civilians during the attempted coup. The editor of daily newspaper Le Citoyen, one of the periodicals using GEPPIC equipment, received death threats and was accused by the Government of "fueling hatred among the population;" the editor went into hiding for several days. On July 24, three employees of Le Citoyen were arrested; they were released on July 28. Government authorities subsequently returned the equipment. Members of the Presidential Security Unit harassed the editor of Le Citoyen and his wife, and threatened them with death, after criticism of the Government appeared in the newspaper. On July 25, Reporters Without Borders sent a letter of protest to the Government regarding the death threats.

The authorities arrested and sometimes tortured journalists during the year; some were arrested following the attempted coup in May (see Sections 1.c. and 1.d.). For example, on September 26, gendarmes arrested Assingambi Zarambaud on charges of involvement in the coup attempt; however, numerous human rights organizations charged that Zarambaud's arrest resulted from his publishing of a series of articles in Le Citoyen newspaper that were critical of the Government's actions against the Yakoma following the attempted coup and of the creation of the Mixed Commission (see Sections 1.c., 1.d., and 2.b.). On October 1, a number of lawyers began a strike to protest his arrest. The president of the National Assembly criticized his arrest and leaders of several political parties and officials of human rights organizations signed a petition for Zarambaud's release.

Radio is the most important medium of mass communication because literacy is not universal, and newspapers and television are relatively expensive and rarely are found outside urban areas. The Government owns and operates a radio station and a television station. Programming is dominated by reporting on the activities of the President and other senior government officials. Political observers complain that the ruling MLPC received more coverage of its activities or meetings than did opposition parties. The directors of the national TV and radio stations are members of the ruling MLPC party; broadcasts by both stations favor the ruling party. In 1999 some programs, such as a popular call-in show, whose listeners often expressed opinions critical of the Government, were taken off the air.

During and following the May attempted coup, USP forces controlled the national radio station (see Section 1.f.).

A private radio station, Africa Number One, part of a French-owned network based in Libreville, Gabon, broadcasts in Bangui. Its programming includes national news coverage by a correspondent based in the country. Radio Notre Dame, which is owned and operated by the Catholic Church, also broadcasts; it receives

funding from the Vatican. Its programming includes national news, debates, legal counseling, and human rights education. Radio France International (RFI) also broadcasts domestically; its programming includes some national news coverage by a correspondent based in the country. The private radio station, "N'Deke Luka," broadcasts from Bangui on FM and shortwave frequencies with assistance from foreign governments and development organizations. One of N'deke Luka's objectives is to promote peace and development by publicizing programs of the U.N. agencies and NGO's working in the region. In May the Baptist Church "Les Freres" opened a religious FM radio station called "Voix de la Grace: L'Eternel Sauve le Coeur de l'Afrique." There are no privately owned stations that broadcast domestically produced national news or political commentary.

In October in Bangui, the Mixed Commission arrested Father Tonino Falagoista, director of the Catholic radio station Radio Notre Dame. After the May 28 coup attempt, Radio Notre Dame broadcast a report that criticized the killing of members of the Yakoma ethnic group during and following the May 28 coup attempt (see Section 1.a.) and alleged that there were three mass graves of victims of the security forces in Bangui. Falagoista, who reportedly was arrested because he had failed to send the Commission a written denial that he had authored or approved the broadcast, was released in December.

The Government continued to monopolize domestic television broadcasting. Private television broadcasting is allowed by law; the High Council of Communication is responsible for authorizing private television as well as radio stations. No applications to establish a private television station have been received. The Government does not restrict domestic receipt or distribution of satellite or cable television, but few citizens can afford it, and it is not widespread, even in the capital.

Government television and radio broadcasts included weekly programs that provided an opportunity for political parties to present their views and discuss their programs. Although the opposition originally welcomed this promised access to the public media, in practice such access did not materialize. During the 1998 legislative and 1999 presidential elections, political parties had access to the public media according to a schedule established by the High Council of Communication; opposition candidates received equal coverage and had equal access to state-owned media.

A private telecommunications company operates a domestic Internet and e-mail service provider as well as one cyber-cafe called Bangui 2000. Few citizens can afford home access to the Internet, but many urban residents rent brief access at Bangui 2000. The Government does not limit Internet access.

The Government does not restrict academic freedom. University faculty and students belong to many political parties and generally express their views without fear of reprisal. There were reports of several student demonstrations at the University of Bangui to protest the nonreceipt of scholarship payments promised to them by the Government.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of assembly; however, the Government at times restricts this right. In addition there are some legal restrictions on freedom of assembly. Organizers of demonstrations and public meetings are required to register with the Government 48 hours in advance, and political meetings in schools or churches are prohibited. The Government granted approval for public demonstrations more frequently during the year than in the previous year. There were several incidents of government interference with opposition meetings during the year. However, unlike in the previous year, the police did not disperse forcibly any demonstrations.

On January 3, the Government banned a sit-in protest planned by striking civil servants in Bangui, and it did not occur. A spokesman for the Interior Ministry said the sit-in would have posed a grave threat to public order.

On October 4, lawyers from the country's Bar Association attempted to hold a press conference at a local hotel in defense of Assingambi Zarambaud, who was arrested after he published a series of articles critical of the Government (see Sections 1.c., 1.d., and 2.a.). Gendarmes blocked the entrance to the hotel and prevented the press conference from taking place; however, the Bar Association subsequently held a press conference and a sit-in at other locations.

There were reports of several student demonstrations at the University of Bangui to protest the nonreceipt of scholarship payments promised to them by the Government.

On January 8, a civil court ruled that the Government's ban on a December 2000 demonstration by opposition parties and civil servants over wage arrears was deficient procedurally; four persons were convicted of

resisting arrest (see Sections 1.d. and 4).

No action was taken during the year against the security force officers who used excessive force to disperse demonstrations on the following dates in 2000: December 19; November 14; and January 23.

The Constitution provides for freedom of association; however, the Government restricted this right in practice. All associations including political parties must register with the Ministry of Interior in order to enjoy legal status. The Government usually has granted registration expeditiously. A variety of associations have registered with the Government following a 3-month background investigation; there were more than 35 registered political parties and a variety of nonpolitical associations. The Government normally allowed them to hold congresses, elect officials, and publicly debate policy issues without interference, except when they advocated sectarianism or tribalism.

On June 20, the Government suspended the activities of the RDC for 3 months on the grounds of serious state security and public order offenses (see Section 1.f.). The decree forbade the RDC from holding public meetings or advertising on the radio during the suspension. Several RCD deputies continued to sit in the National Assembly during the suspension, and the party resumed its normal activities in late September. The RDC was the only party in the country during the Kolingba regime.

The law prohibiting nonpolitical organizations from coalescing for political purposes remains in place; no significant reports of enforcement of this law were reported during the year.

c. Freedom of Religion

The Constitution provides for freedom of religion but establishes fixed legal conditions and prohibits what the Government considers religious fundamentalism or intolerance. The constitutional provision prohibiting religious fundamentalism is understood widely to be aimed at Muslims. In practice the Government permits adherents of all religions to worship without interference. There is no state religion. Religious organizations and missionary groups are free to proselytize, worship, and construct places of worship.

Religious groups (except for traditional indigenous religious groups) are required by law to register with the Ministry of Interior. This registration is free and confers official recognition and certain limited benefits, such as customs duty exemption for the importation of vehicles or equipment, but does not confer a general tax exemption. The Ministry's administrative police keep track of groups that have failed to register; however, the police have not attempted to impose any penalty on such groups. Any religious or nonreligious group that the Government considers subversive is subject to sanctions. The Ministry may decline to register, suspend the operations of, or ban any organization that it deems offensive to public morals or likely to disturb the peace. The Ministry of Interior also may intervene to resolve internal conflicts about property, finances, or leadership within religious groups. The Government has banned the Unification Church since the mid-1980's as a subversive organization likely to disturb the peace, specifically in connection with alleged paramilitary training of young church members. However, the Government imposed no new sanctions on any religious group during the year.

On October 26, President Patasse removed General Bozize as Chief of Staff of the Armed Forces; the following week, Government forces closed Bozize's church without presenting the necessary legal documents (see Section 3). The church remained closed at year's end.

Unlike in previous years, there were no reports that Muslims, particularly Mbororo, were singled out for harassment by authorities, including extortion by police, due to popular resentment of their presumed affluence. Muslims play a preponderant role in the economy. There were reports during the year that Muslim Chadian commercial traders were attacked in a commercial section near the center of Bangui. Although these attacks are motivated commercially, they seem to be aggravated and tolerated because the Chadians are Muslims. On one occasion, a Chadian was attacked in the presence of the Interior Minister. It was unclear if the attack was perpetrated by police or private citizens.

The practice of witchcraft is a criminal offense under the penal code; however, persons generally are prosecuted for this offense only in conjunction with some other offense, such as murder (see Section 1.a.).

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for the right to move freely throughout the country; however, police, security forces, customs officers, and other officials harass travelers unwilling or unable to pay bribes or "taxes" at checkpoints along major intercity roads and at major intersections in Bangui (see Section 1.a.). Attacks by bandits on major

routes to the north and east sometimes occurred, even though some travelers moved in convoys with military escorts. On October 25, highway bandits stopped a vehicle near Grimari carrying several missionaries. The bandits assaulted and injured one of the missionaries and looted the vehicle; government soldiers arrived 2 hours later and shot at and dispersed the bandits. The Government also established military bases in East Zemio, Bambari, Bria, Kaga-Bandoro, and Bossangoa in an effort to curb highway banditry.

Until late November, USP forces continued to be stationed at the airport to control travelers. The Government generally allows opposition leaders to travel abroad or inside the country without restrictions; however, in early January, former President David Dacko was stopped at Mpoko Airport and prevented from traveling to Libya; on January 25, Dacko was prevented from traveling abroad for a conference of the Summit Council for World Peace. On February 8, authorities prevented three trade union leaders from leaving Bangui to attend a seminar in Kenya (see Section 6.a.); however, the three traveled later in the year without restriction. On February 28, the Central African Human Rights League (LCDH) issued a report criticizing the Government for its travel restrictions against Dacko and the trade union leaders.

After the May 28 attempted coup, the Government closed Mpoko Airport, set up roadblocks, instituted a nightly curfew from 9 p.m. to 5 a.m. (modified in December to be from midnight to 5 a.m.), and required that anyone wishing to travel outside the country show signed authorization from Joseph Bindoumi, the General Prosecutor and President of the Mixed Commission. Security forces initially strictly enforced the requirement for signed authorization for foreign travel; enforcement subsequently was lessened and ceased completely in December. On May 29, the Government closed its border with the DRC; however, a ferry and dugout canoes continued to cross the river frequently between the two countries. In November after government troops removed roadblocks that had been installed in northern Bangui by Bozize supporters, the Minister of Transport stated on November 9 that the country's borders never had been closed.

With the exception of diplomats, the Government requires that all third-country nationals who desire to leave the country must obtain an exit visa from the headquarters of the National Police. Travelers can be required to obtain affidavits that they owe no money to the Government or to parastatal companies.

Approximately 80,000 citizens, including half of the country's ethnic Yakoma population, fled during and following the May coup attempt, mostly to the forests and small village areas southwest of Bangui. Approximately 50,000 were displaced internally; an estimated 24,000 fled to the DRC border town of Zongo, and approximately 2,000 fled to the Republic of Congo. By mid-July approximately 10,000 to 40,000 persons had returned to their homes; however, smaller numbers continued to flee because of continued targeting of the Yakoma population by the Government (see Sections 1.a., 1.c., and 1.d.).

The Italian NGO COOPI, along with the UNDP office in Bangui, Medecins Sans Frontieres (MSF), UNICEF, and other international NGO's provided immediate humanitarian relief to IDP's. NGO's also negotiated with the Government to assure the safety of IDP's who wished to return to their homes in Bangui. Although the Government urged IDP's to return to Bangui, it did not take any concrete steps to provide for their safety and physical security by year's end. Many IDP's were not convinced of the Government's sincerity, while others who returned discovered that their homes were pillaged and destroyed. COOPI estimated that at year's end, there still were between 1,500 and 2,000 IDP's in the southwestern part of the country and an undetermined number of IDP's in the rest of the country.

At year's end, there were an estimated 23,000 refugees in Zongo. Most of those who remained were believed to be Yakoma who feared retribution if they returned home. In December in cooperation with U.N. agencies, the Government formed a Committee of Reception and Welcome to persuade the civilian refugees in the DRC to return to the country. The program ended when a group of the refugees demanded amnesty, the release of prisoners, and other actions as a condition of their return; the Government refused their demands. In November the UNHCR completed the separation of former combatants from the civilian refugee population in the DRC. For their protection, the civilian refugees from Zongo were scheduled to begin moving in January 2002 to a camp near Mole, DRC, approximately 22 miles from the border. In November the Congolese FLC moved the former combatants to a camp near Bokilio, DRC, 93 miles from the border. While the Government has made numerous assurances that the refugees will not face reprisals, it has taken no actions to ensure their safety. However, the Government worked with the UNHCR office in Kinshasa, DRC, to assist the thousands of refugees.

The law provides for the granting of refugee and asylee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol, and the Government respects these provisions in practice. The Government continued to work with the U.N. High Commissioner for Refugees (UNHCR) and provided first asylum to Chadian, Sudanese, Rwandan, and Congolese refugees. Applicants for asylum often were accepted. Almost all refugees were registered with the National Commission for Refugees. According to the UNHCR, there are 49,179 refugees in the country, of which 10,452 are located in Bangui.

The UNHCR also reported that armed elements attacked a camp for DRC refugees in Bassangou in March, which led to the immediate closure of the camp and the transfer of the refugees; the camp remained closed at year's end.

There were credible reports that USP forces abused Rwandan refugees and nationals on suspicion that they assisted in the May 28 coup attempt (see Sections 1.a. and 1.c.). Many Rwandan refugees went into hiding after the Government claimed that Rwandan generals were assisting the coup plotters.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change their Government

The Constitution provides citizens with the right to change their government at the national level. This right was first exercised in free and fair elections in 1993 that were the culmination of a successful democratization movement led by President Patasse. Patasse's MLPC won both the Presidency and a majority of seats in the National Assembly. Citizens again exercised their constitutional right to change their government by democratic means through the National Assembly and presidential elections in 1998 and 1999, respectively. International observers deemed both elections generally free; however, the presidential elections were marred by irregularities in voter registration and distribution of electoral materials. Some of the registration irregularities tended to favor the ruling party.

On April 1, President Patasse replaced the Prime Minister, Anicet Georges Dologuele, with Martin Ziguele, a member of the MLPC party. On May 28, former President Andre Kolingba led a faction of the armed forces in a coup attempt, which resulted in 10 days of fighting in Bangui between government forces and troops loyal to Kolingba. President Patasse retained power with the assistance of troops from Libya and rebel FLC soldiers from the DRC led by Jean-Pierre Bemba. Since 1996 members of the security forces, complaining of low wages and salary arrears, have rebelled repeatedly against Patasse (see Section 6.c.). Kolingba is a Yakoma from the south whose 12-year rule ended in 1993 when Patasse became the first northerner to rule the country. The May coup resulted in hundreds of deaths and injuries, numerous arrests, 80,000 IDP's, and numerous other abuses (see Sections 1.a., 1.c., 1.d., 1.f., 2.a., 2.b., and 2.d.).

In August the President dismissed the Minister of Defense, the Minister of the Interior, the Secretary of State for Interior, and the Secretary of State for Disarmament on charges of complicity in the attempted coup. On August 30, the President named a new Cabinet, most of whom are members of his MLPC party. On October 26, President Patasse removed General Bozize as Chief of Staff of the Armed Forces after accusing him of complicity in the attempted coup.

In the 1998 National Assembly elections, opposition parties won 55 seats, while the ruling MLPC party of President Patasse and its allies won 54 seats. However, the defection of one opposition National Assembly member in December 1998 gave the ruling party and its coalition a one-seat majority. The opposition parties and the UFAP strongly protested this defection and boycotted the inauguration of the new session of the legislature.

President Patasse's first term of office expired in 1999, but he constitutionally was eligible to seek a second consecutive term. In 1999 the Government established an Independent Electoral Commission (CEMI) to supervise the presidential election. Although the CEMI included representatives from many political parties on its board, persons loyal to the President controlled it. The Government explicitly rejected suggestions by elements of the international community, which provided material and financial support for the election, that the executive branch of the Government not involve itself in the management of the electoral process. In August 1999, President Patasse promulgated a decree that subordinated CEMI to the state Organ of Control (OCASPA), a state organization that he had created by decree in May 1999 to oversee the election process. Before the presidential election, there were credible reports of attempts to inflate sharply the number of registered voters in pro-MLPC northern areas, although this was corrected before the polling. The Government postponed the first round of the presidential election, first from August 29 to September 12, and then to September 19, after serious problems in ballot distribution became evident; however, the Government denied requests from opposition leaders for further delays to permit more complete resolution of the problems with the electoral process. Some provisions of the electoral code, requiring publication of voter lists at least 15 days before the election and distribution of voter identification cards at least 8 days before the election, were not respected. On election day, a shortage of ballots was reported in some largely pro-opposition districts. Opposition party poll-watchers reported the use of some falsified voter identification documents by voters, and there were several reports of ballot boxes being delivered to the CEMI without certified tally sheets, or from unofficial polling places.

Two weeks after the voting, the Constitutional Court announced the official results of the election and declared

President Patasse reelected with 51.6 percent of the votes cast. Nine other candidates certified by the Constitutional Court had competed in the election. The Constitution required a second-round runoff election if no candidate received 50 percent of votes cast in the first round election. However, only one of the unsuccessful candidates filed a complaint with the Constitutional Court.

There was occasional violence during the presidential election campaign, including fighting in Bangui between supporters of President Patasse and former President Kolingba, and attacks by some opposition supporters on foreign diplomats whose governments' were perceived to have supported Patasse.

The Constitution provides for multiple political parties. The state is highly centralized. The central Government appoints all subnational government officials, and subnational government entities have no significant fiscal autonomy. The Government has not held constitutionally required local elections in recent years, ostensibly due to budgetary restrictions. The Government has appointed four successive mayors, including the mayor of Bangui, the capital, a southern city well outside the ruling party's main political base in the north (see Section 5).

The percentage of women in government and politics does not correspond to their percentage of the population; however, there are no laws that restrict the participation of women in the political process. Only 8 members of the National Assembly are women, and only 2 of the 24 cabinet members are women. In 1999 the President appointed a woman to be the mayor of Bangui.

The percentage of minorities in government or politics does not correspond to their percentage of the population; however, there are no laws that restrict the participation of minorities in the political process. There is one Muslim in the Cabinet and at least five Muslims in the National Assembly.

President Patasse is a member of the Sara-Kaba ethnic group. Members of northern ethnic groups, including the Sara and Baya, continued to predominate among the President's advisors, in the leadership of the ruling party, and among ruling party members of the National Assembly.

Pygmies (Ba'Aka), the indigenous inhabitants of the southern part of the country, who represent from 1 to 2 percent of the population, are not represented in the Government and have little political power or influence (see Section 5).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several domestic and international human rights groups generally operate without government restriction, investigating and publishing their findings on human rights cases. Government officials somewhat are responsive to their views. The Association of Central African Women Lawyers advises women of their legal rights (see Section 5). Several other NGO's, including the Movement for the Defense of Human Rights and Humanitarian Action, the Human Rights Observatory, and some religious groups actively monitor human rights problems. The LCDH publicizes human rights violations and pleads individual cases of human rights abuses before the courts. During the year, the LCDH continued to distribute pamphlets to prisons, police stations, courts, schools, and other NGO's describing human rights and information on judicial access. In February the LCDH published a report that criticized the Government for numerous violations of the freedoms of assembly, movement, and expression. The LCDH and several other NGO's also criticized the USP forces for human rights abuses committed during and following the May 28 coup attempt (see Sections 1.a., 1.c., 1.d., 1.f., and 2.d.). Most of them also criticized the coup attempt and the USP for the human rights abuses during the attempted coup.

A delegation of the International Federation of Human Rights Leagues (FIDH) visited Bangui between July 15 and 22 and met with persons arrested at police stations and detention facilities, including the National Gendarmerie (see Section 1.c.).

Section 5 Discrimination based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution stipulates that all persons are equal before the law without regard to wealth, race, sex, or religion, but the Government does not enforce these provisions effectively, and significant discrimination exists.

Women

Domestic violence against women, including wife beating, reportedly is common; however, inadequate data

make it impossible to quantify. Spousal abuse is considered a civil matter unless the injury is severe. Victims seldom report incidents. The courts try very few cases of spousal abuse, although litigants cite these abuses during divorce trials and civil suits. Some women reportedly tolerate abuse to retain a measure of financial security for themselves and their children. The Government did not address this problem during the year.

The law prohibits female genital mutilation (FGM), which is condemned widely by international health experts as damaging to both physical and psychological health; however, girls continued to be subjected to this traditional practice in certain rural areas, and to a lesser degree in Bangui. Approximately 45 to 50 percent of adult females have undergone FGM. In 2000 the International Committee of African Women for Development (CIFAD), a central African-based women's rights organization, began a national campaign against FGM with financial assistance from a foreign donor. During the year, a Government-NGO campaign continued to reduce incidence of FGM in rural areas.

Women are treated as inferior to men both economically and socially. Single, divorced, or widowed women, even with children, are not considered socially to be heads of households. Only men are entitled to family subsidies from the Government. Women in rural areas generally suffer more discrimination than do women in urban areas. There are no accurate statistics on the percentage of female wage earners. Women's access to educational opportunities and to jobs, particularly at upper levels in the professions or in government service, traditionally has been limited.

Polygyny is legal, although this practice faces growing resistance among educated women. The law authorizes a man to take up to four wives, but a prospective husband must indicate at the time of the first marriage contract whether he intends to take additional wives. In practice many couples never marry formally because men cannot afford the traditional bride payment. Women who are educated and financially independent tend to seek monogamous marriages. Divorce is legal and may be initiated by either partner.

The law does not discriminate against women in inheritance and property rights, but a number of conflicting customary laws often prevail. A family code designed to strengthen women's rights was enacted in 1998; it has had a positive effect in strengthening women's rights, particularly in the courts. The Association of Central African Women Lawyers advises women of their legal rights. The organization also publishes pamphlets in conjunction with the Ministry of Social Affairs on the dangers of FGM. In 2000 several active women's groups organized workshops and seminars to promote women's and children's rights and to fully participate in the political process; at least one such event was held during the year.

Children

Although there is no official discrimination against children, the Government spends little money on programs for them. Churches and NGO's have relatively few programs for youths. The failure of the education system, caused by a meager budget and salary arrears, has resulted in a shortage of teachers and an increase in street children. Education is compulsory from ages 6 to 14; however, parents rarely are prosecuted for their children's nonattendance. Moreover, in practice, the age that a child starts school often varies by 2 to 3 years in rural areas. At the primary level, girls and boys enjoy equal access to education, but the majority of young women drop out at age 14 or 15 due to social pressure to marry and bear children. Approximately 60 to 70 percent of urban women have attended primary school, whereas only 10 to 20 percent of their rural counterparts have done so. Only 20 percent of the students at the University of Bangui are women.

Many children beg and steal. Several charitable organizations strive to assist them. In some rural areas, teachers or principals use their pupils as farm laborers (see Section 6.c.). According to numerous credible reports, male teachers in primary and secondary schools as well as at the University level routinely pressure their female students into having a sexual relationship in exchange for passing grades; the spread of HIV/AIDS is extremely prevalent between teachers and their female students.

The Government does not provide medical coverage for uninsured children.

The Penal Code forbids parental abuse of children under the age of 15 years. The Family Code was designed to strengthen children's rights. Illegitimate children have the same rights as those born in wedlock. A juvenile court was set up in 1998 and provided counseling services to parents and juveniles during the year.

Juvenile prisoners routinely were housed with adults and often subject to physical abuse (see Section 1.c.).

FGM is performed primarily on young girls (see Section 5, Women).

Some girls enter prostitution to earn money for their families. In previous years, the presence of international

peacekeeping forces in the capital aggravated the problem of teenage prostitution. The Government did not address this problem during the year; however, between August 10 and 19, it organized a 1-week sensitization campaign for prostitutes and street children in preparation for the U.N. World Child Summit.

Trafficking in children, and child labor, including forced child labor, occur (see Sections 6.c., 6.d., and 6.f.).

Persons with Disabilities

There is no codified or societal discrimination against persons with disabilities; however, there are no legislated or mandated accessibility provisions for persons with disabilities. There are several government and NGO-initiated programs designed to assist persons with disabilities, including handicraft training for the blind and the distribution of wheelchairs and carts by the Ministry of Social Services.

Indigenous People

Despite Constitutional protection, there is societal discrimination against Pygmies (Ba'Aka), the earliest known inhabitants of the rain forest in the southern part of the country, who make up approximately 1 to 2 percent of the country's population. In general Pygmies have little input in decisions affecting their lands, culture, traditions, and the allocation of natural resources. Indigenous forest-dwelling Pygmies, in particular, are subject to social and economic discrimination and exploitation, which the Government has done little to prevent. Pygmies often work for villagers at wages lower than those paid to members of other groups.

Religious Minorities

Although in general there is religious tolerance among members of different religious groups, there have been occasional reports that some villagers who were believed to be witches were harassed, beaten, or sometimes killed by neighbors (see Section 1.a.). Witchcraft traditionally has been a common explanation for diseases for which the causes were unknown. The practice of witchcraft is understood widely to encompass attempts to harm others not only by magic, but also by covert means of established efficacy such as poisons. Courts have tried, convicted, and sentenced some persons for crimes of violence against suspected witches.

There were reports of Muslim Chadian commercial traders being attacked in a commercial section near the center of Bangui. Although these attacks are motivated commercially, they seem to be aggravated and tolerated because the Chadians are Muslims. On one occasion, a Chadian was attacked in the presence of the Interior Minister. It was unclear if the attack was perpetrated by the police or private citizens.

When serious social or political conflicts have arisen, simultaneous prayer ceremonies have been held in churches, temples, and mosques to ask for divine assistance. The Catholic Commission for Justice and Peace often conducts developmental and educational programs and seminars throughout the country. The members work closely with other church groups and social organizations on social issues. On February 24, thousands of worshipers of different religious faiths took part in a Mass at the national stadium that was dedicated to peace in the country. President Patasse, who organized the Mass in the wake of widespread strikes by civil servants demanding payment of salary arrears, urged the congregation of Catholics, Protestants, and Muslims not to allow the strike to affect peace adversely (see Section 6.a.).

On October 25, highway bandits attacked a vehicle near Grimari carrying several missionaries (see Sections 1.c. and 2.c.).

National/Racial/Ethnic Minorities

The population includes approximately 90 ethnic groups; many of these groups speak distinct primary languages and are concentrated regionally outside urban areas. The largest ethnic groups are the Baya (more than 30 percent), the Banda (more than 25 percent), the Mandja (more than 20 percent), the Sara (approximately 10 percent), and the Yakoma (approximately 3 percent). The Mbororo make up approximately 5 percent of the population but play a preponderant role in the economy; they are involved in mining development and remain the most important cattle breeders in the country.

Until 1993 members of Kolingba's ethnic group, the Yakoma subgroup of the Ngbandi, held a disproportionate number of senior positions in government, the armed forces, and state-owned firms. As a result of hirings and firings following President Patasse's 1993 election, Yakomas no longer hold a disproportionate number of positions in the civil service, but the armed forces still are being restructured to achieve greater ethnic balance. Approximately 80 percent of USP members are native to the President's northern region; many belong to the

President's Kaba ethnic group or closely related groups.

Major political parties tend to have readily identifiable ethnic or ethnic-regional bases. The results of the 1998 legislative elections and the 1999 presidential election confirmed that the MLPC Party of President Patasse has strong support in the north, especially among the Sara and Baya ethnic groups, but that it also has strengthened its support in the capital (see Section 3). The MDD party of former President Dacko is strong in the southwestern part of the country; the RDC Party of Kolingba is popular in the southeast, in the Oubangui River basin, especially among the Yakoma.

Section 6 Worker Rights

a. The Right of Association

Under the Labor Code, all workers are free to form or join unions without prior authorization. A relatively small part of the workforce has exercised this right, chiefly wage earners such as civil servants. There are five recognized labor federations. The two most important are the Organization of Free Public Sector Unions and the Labor Union of Central African Workers (USTC), which are independent of the Government.

Unions have the right to strike in both the public and private sectors. To be legal, strikes must be preceded by the union's presentation of demands, the employer's response to these demands, a conciliation meeting between labor and management, and a finding by an arbitration council that union and employer failed to reach agreement on valid demands. The union also must provide 8 days' advance written notification of a planned strike. The Labor Code states that if employers initiate a lockout that is not in accordance with the code, the employer is required to pay workers for all days of the lockout. However, the Government has the authority to end strikes because of public interest. Other than this, the code makes no provisions regarding sanctions on employers for acting against strikers. There were no reports of employer actions against strikers.

Health workers and teachers went on separate strikes on several occasions to protest unpaid salaries and poor working conditions. On March 5, the unions and the Government signed an agreement, which applied to both groups of workers and ended a 5-month series of strikes over salary arrears. The Government agreed to make regular salary payments during the year. As a result, the unions suspended their strikes for 2 months pending implementation of the agreement and civil servants returned to work; however, the Government did not make regular payments. Despite the nonpayment, union leaders encouraged their colleagues to keep working following the coup attempt. Since October 2000, the major labor federations have mobilized all striking civil servants to demand that the Government pay at least 12 months worth of salary arrears. Some salaries were paid during the year; however, the Government still owes 14 months of salary arrears to military personnel and 16 months of salary arrears to civilian employees.

On February 8, authorities prevented three trade union leaders from leaving Bangui to attend a seminar in Kenya; however, the three traveled later in the year without restriction (see Section 2.d.). In June the General Secretary of the USTC was arrested, questioned, and subsequently released after attending a meeting of the ICFTU-AFRO Congress in Nairobi.

Labor federations are free to affiliate internationally. The USTC is affiliated with the ICFTU.

b. The Right to Organize and Bargain Collectively

The Labor Code grants trade unions full legal status, including the right to sue in court. It requires that union officials be full-time wage-earning employees in their occupation, but they may conduct union business during working hours. The Code does not provide specifically that unions may bargain collectively; however, the law protects workers from employer interference in their right to organize and administer their unions. The Government usually is involved in the collective bargaining process. While collective bargaining has taken place in some instances, no collective bargaining occurred during the year.

The Ministry of Labor and Civil Service sets wage scales. Collective bargaining plays a role in setting wages in private industry. Salary arrears continued during the year for both civilian (16 months) and military (14 months) personnel; the arrears continued to be a major complaint of the unions, but with minimal results.

The law expressly forbids discrimination against employees on the basis of union membership or union activity. Employees can have their cases heard in the labor court. The Labor Code does not state whether employers found guilty of antiunion discrimination are required to reinstate workers fired for union activities; however, employers legally are required to pay damages, including back pay and lost wages.

There are no export processing zones.

c. Prohibition on Forced or Compulsory Labor

The Labor Code specifically prohibits forced or compulsory labor; however, prisoners were forced to work without compensation for government officials or magistrates (see Section 1.c.). The Ba'Aka often are coerced into agricultural, domestic, and other types of labor for different ethnic groups.

Trafficking in persons, particularly children, is a problem (see Section 6.f.).

The Labor Code prohibition of forced or compulsory labor applies to children, although they are not mentioned specifically; however, forced child labor occurs. The Government does not have sufficient resources to enforce the prohibition effectively. Some parents force their daughters into prostitution to help support the family, and children frequently work on farms at rural schools (see Sections 5 and 6.d.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code forbids the employment of children under 14 years of age; however, the Ministry of Labor and Civil Service enforces the provision only loosely. In practice child labor is common in many sectors of the economy, especially in rural areas. In some rural areas, teachers or principals use school children as labor on farms, ostensibly to teach them how to work the land since many students do not further their education beyond secondary school (see Section 5). The schools use the proceeds from the sale of the farm produce to purchase school supplies and equipment and to fund school-related activities. The Labor Code generally covers all labor sectors, although specific regulations cover specific sectors. In some cases, the Labor Code provides that the minimum age for employment could be reduced to 12 years for some types of light work in traditional agricultural activities or home services. An international agency reported that children worked in the diamond fields alongside adult relatives.

Child prostitution is a problem (see Section 5).

The Labor Code prohibition of forced or compulsory labor applies to children, although they are not mentioned specifically; however, there were reports of forced labor, including prostitution, by children (see Sections 5 and 6.c.).

Trafficking in children occurs (see Section 6.f.).

e. Acceptable Conditions of Work

The Labor Code states that the Minister of Labor must set minimum wages by decree. The minimum wage varies by sector and by kind of work. For example, the monthly minimum wage is equivalent to approximately \$12 (7,800 CFA francs) for agricultural workers but approximately \$28 (18,000 CFA francs) for office workers. The minimum wage does not provide a worker and family a decent standard of living. Most labor is performed outside the wage and social security system, especially by farmers in the large subsistence agricultural sector. The Government owes at least 16 months worth of salary arrears to civil servants and 14 months of salary arrears to the military (see Sections 1.c., 1.d., 2.b., and 6.a.). The law sets a standard workweek of 40 hours for government employees and most private sector employees. Household employees may work up to 55 hours per week. The law also requires a minimum rest period of 48 hours a week.

There also are general laws on health and safety standards in the workplace, but the Ministry of Labor and Civil Service neither precisely defines nor actively enforces them, a matter about which the ILO has expressed concern to the Government for many years. The Labor Code states that a labor inspector may force an employer to correct unsafe or unhealthy work conditions, but it does not provide the right for workers to remove themselves from such conditions without risk of loss of employment.

The Labor Code protects both legal and illegal foreign workers.

f. Trafficking in Persons

The law does not prohibit trafficking in persons, and there were reports that persons, particularly children, were trafficked to and possibly within the country. The Government has recognized that trafficking in persons occurs; however, statistics and specific examples of trafficking are not available. Trafficking is confined

primarily to children who are brought in by the foreign Muslim community from Nigeria, Sudan, and Chad to be used as domestic servants, shop helpers, and agricultural workers (see Section 5). Merchants, herders, and other foreigners doing business in and transiting the country also bring girls and boys into the country. Such children, who may or may not be related to their caretakers, are not afforded the benefit of a formal education, even though of mandatory school age, and work without remuneration for their labor. There is no evidence or indication of sexual exploitation, but there were reports that children were beaten publicly.

The indigenous Ba'Aka often are coerced into agricultural, domestic, and other types of labor within the country. The Ba'Aka often are considered to be the slaves of other local ethnic groups, and subjected to wages far below those prescribed by the labor code. Additionally there have been credible reports of three cases in which persons obtained a Ba'Aka child by deception and subsequently sent the child to Europe for adoption. One of the cases reportedly involved the implicit cooperation of government authorities.

The law does not prohibit specifically trafficking in persons; however, traffickers can be prosecuted under laws against slavery, labor code violations, mandatory school age laws, and laws against the exploitation of prostitution by means of coercion or fraud. Specific laws address the crime of prostitution and punish those who traffic women for the purposes of prostitution. The Government does not investigate actively cases of trafficking, nor does it use or have access to special investigative techniques in trafficking investigations. In 2000 the Government established a commission to study the extent of the trafficking problem, to identify those responsible, and to devise a plan to combat the problem; however, few resources have been devoted to the problem. The Ministries of Social Affairs, Interior, Labor, Rural Development, Justice, and Defense are involved in anti-trafficking efforts and are part of the commission. There are no known NGO's specifically working on the issue.